

**REMARKS**

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance.

Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 1, 3-5, and 7-11 are in the present application. It is submitted that these claims were patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. § 112. The changes to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled. Claims 2 and 6 are canceled.

Claims 1-3 and 7-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Edatsune (U.S. Patent 5,802,488) in view of Dario et al. (Article entitled "Instinctive Behaviors and Personalities in Societies of Cellular Robots"). Claims 4-6 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Edatsune and Dario in further view of Henton (U.S. Patent 5,860,064). However, in the present invention, the "emotion and instinct states are determined on the basis of values corresponding to a plurality of states of an emotion model and an instinct model, respectively; wherein the value corresponding to each state within the emotion model and within the instinct model are linked in a mutually stimulating manner and changed based on said control pitch information or said phonemics information." (Claims 1, 10, and 11) The pitch and phonemics information extracted by the voice processing means from the input voice are used in adjusting the values of the states in the emotion and instinct models. The

values of the states within each model are linked “in a mutually stimulating manner,” such that as one value is changed the other values also change accordingly. This feature is described on page 11 of the specification and shown in Figures 5A and 5B. As noted by the Examiner, Edatsune “lacks wherein the state is determined by an emotion state and an instinct state of the robot.” (Office Action page 5) Rather, the Examiner relies on Dario to meet the present invention’s emotion and instinct state limitations. Dario discloses classifying predetermined reactions (including states which are characterized as emotions and instincts) of a robot to specific external stimulus. However, Dario does not disclose that the external stimulus is speech related, much less pitch and phonemic information related, as required in the present invention. Moreover, Dario’s classes each correspond to a single action and reaction, rather than a state which may react differently to various inputs. Further, Dario fails to disclose changing these classes or the relationship between the classes. Thus, Dario does not teach changing values corresponding to each state or that the values are linked as required in the present invention. The Examiner relies on Henton to meet the present invention’s control pitch information and phonemics information. (Office Action page 7) Henton discloses applying emotion values to synthesized speech by controlling the pitch of phonetic symbols. (Column 2, Lines 8-11; Figure 5) However, the present invention not only uses pitch and phonemics information in voice synthesis, but also extracts this information from an input voice and uses it to determine the emotion and instinct states. Henton does not disclose “extracting control pitch information or phonemics information” from an input voice, or changing values corresponding to emotion and instinct states based on this information, as required in the present invention. Accordingly, for at least these reasons, Edatsune, Dario, and Henton fail to render obvious the present invention and the rejected claims should now be allowed.

Claims 1 and 10-11 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 10-11 of co-pending U.S. Patent application 09/723,512. Applicants submit concurrently herewith a terminal disclaimer to overcome these rejections. In light of this submission, Applicants respectfully request that this rejection be withdrawn and the rejected claims be allowed.

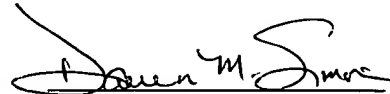
In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

A Statutory Disclaimer fee is deemed to be required for the filing of this amendment. No additional fees are anticipated, but if such are required, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,  
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